

**THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005**  
**AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)**  
**ORDINANCE, 2007**

## **NOTIFICATION OF GRANT OF PLANNING PERMISSION**

**PROPOSALS:** Sub-divide dwelling to create 2 dwellings with associated works (Protected Building) (Retrospective).

**LOCATION:** Maison De Bas Villa, La Grande Maison Road, Pleinheume, Vale.

**APPLICANT:** Mr J Greenfield

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

**Date of Grant of Permission:** 19/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** MDEB DWG:- 01, 02, 03, 04 & 05

**Application Ref:** FULL/2023/1461

**Property Ref:** C020810000

**Conditions and reasons:-**

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

**Expiry Date: This permission will cease to have effect on 18/10/2026 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

Please note the installation of internal insulation to the building may require planning permission. Prior to the commencement of such works additional information will be required to be submitted to the Authority in the first instance to determine whether further permissions are required.

**Effect of planning permission:**

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).
- (2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.
- (3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

**Right of appeal against planning decisions:**

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at [www.gov.gg/planningpanel](http://www.gov.gg/planningpanel) and must be completed with all enclosures in multiples as requested and received within the six months deadline.

**Copy of representations made:**

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

**Other Remarks:**

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services ([highways@gov.gg](mailto:highways@gov.gg)) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

**This document is not a Building Licence and confers no approval under the Building Regulations.**

**A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.**

**A J ROWLES**

Director of Planning  
Planning Service



**PLANNING APPLICATION REPORT**

**Application No:** FULL/2023/1461  
**Property Ref:** C020810000  
**Valid date:** 12/09/2023  
**Location:** Maison De Bas Villa La Grande Maison Road Pleinheume  
Pleinheume Vale Guernsey GY6 8LP  
**Proposal:** Sub-divide dwelling to create 2 dwellings with associated  
works (Protected Building) (Retrospective).  
  
**Applicant:** Mr J Greenfield

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

## INFORMATIVES

Please note the installation of internal insulation to the building may require planning permission. Prior to the commencement of such works additional information will be required to be submitted to the Authority in the first instance to determine whether further permissions are required.

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## OFFICER'S REPORT

### Brief Description of the site:

The application site comprises a large detached Victorian dwelling situated to the south of La Grande Maison Road and to the east of Pleinheume Road. To the east a large outbuilding is situated which has previously been converted into a dwelling. Surrounding the site the area comprises residential properties in all directions with open field beyond to the south and southeast.

The site is situated Outside of the Centres as designated in the Island Development Plan. The whole of the building together with the outbuilding and roadside wall and railings are protected.

### Relevant History:

|                |                                                                                                                                                                                                      |                                               |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| FULL/2010/1541 | Extend and convert barn to dwelling, erect conservatory on rear (south east) elevation, erect lean-to porch on side (south west) elevation, remove hedge and erect garden wall (protected building). | Granted<br>12/08/2010                         |
| FULL/2009/3098 | Change of use of part of dwelling house to bed and breakfast accommodation and internal alterations.(Protected Building)                                                                             | Granted<br>19/02/2010                         |
| HAPP/2009/0363 | Extend and convert barn and existing residential unit to a dwelling.                                                                                                                                 | Permission<br>in principle<br>granted<br>2009 |

### Existing Use(s):

Residential

### Assessment: *(Tick as appropriate)*

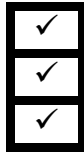
no representation



visual amenity acceptable



accords with policy  
within curtilage  
design acceptable



no material neighbour impact  
traffic not affected



**Policies considered most relevant:**

GP5: Protected Buildings  
GP8: Design  
GP9: Sustainable development  
GP13: Householder development  
IP6: Transport Infrastructure and Support Facilities  
IP7: Private and Communal Parking

**Conclusion/Brief comment:**

A supporting letter has been submitted as part of the application which confirms that the wing attached to west elevation of the main dwelling has been used a separate dwelling for some time. The applicants are in the process of purchasing the property and the application the subject of this report has been submitted in retrospect, to formally subdivide the property into two units of accommodation.

The letter and the application drawings confirm that the wing currently comprises a two-bedroom dwelling with its own garden area to the rear and car parking area to the front. It benefits from its own utilities and shares a cesspit with the main dwelling. Internally there is no interconnecting door between the wing and the main dwelling.

As part of this application no external or internal changes are proposed to the building. The garden area to the rear of the site is largely demarcated from the remainder of the site, however under this proposal a new fence and hedge is proposed to the rear of the wing to allocate an additional section of garden area. The fence as proposed would not cause harm to the setting of the protected building and given that no external alterations are proposed no harm to the special interest of the protected building would result from the subdivision scheme.

The layout, size and amenities of the proposed dwelling provide a reasonable standard of accommodation. The protected status of the building limits what can be achieved in terms of accessibility but as a whole the layout and facilities of the proposal offers reasonably flexible and adaptable accommodation. The proposal would not affect the amenities afforded to the occupiers of neighbouring dwellings.

Car parking arrangements have been considered and two allocated spaces provided for the additional unit. Sufficient space exists within the garden area of the wing and within the existing summerhouse to accommodate covered cycle parking in accordance with Policies IP6 and IP7.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

The covering letter does state that in the event that planning permission is granted that the applicants intend to insulate the interior of the wing. This in its own right may require the submission of a further application and it is advised that an informative is included on any permission to advise the applicants of this.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

**Recommendation:**

Grant with Conditions



**Date:** 17/10/2023